

## Message Text

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43

ACTION EB-11

INFO OCT-01 EA-11 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 L-03 RSR-01 /047 W

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R 230927Z JUL 73

FM AMEMBASSY KUALA LUMPUR

TO SECSTATE WASHDC 4790

INFO AMEMBASSY BANGKOK

AMEMBASSY JAKARTA

AMEMBASSY SINGAPORE

LIMITEF OFFICIAL USE KUALA LUMPUR 3210

E.O. 11652: N/A

TAGS: ETRN

SUBJECT: MALAYSIA: FLIGHT INFORMATION REGION

REF: A. STATE 135602; B. KUALA LUMPUR 3009.

SUMMARY: FURTHER CONVERSATION ON GOM'S FIR PROPOSAL INDICATE THEY PLANNING TO ADVANCE IT AS A TECHNICAL EXERCISE OF THEIR RIGHT UNDER ICAO CONVENTION. EMBASSY BELIEVES THIS IS REASONABLE APPROACH AND RECOMMENDS THAT UNLESS FAA OR OTHER GOVERNMENTS RAISE VALID TECHNICAL OBJECTIONS, THE US SHOULD SUPPORT THE GOM PROPOSAL. (COPIES OF GOM PROPOSAL BEING SUBMITTED TO ICAO MEETING ARE POUCHED TO ADDRESSEES).

1. EMBOFF DISCUSSED FIR QUESTION AT LENGTH TODAY WITH V. DAVEY, WHO IS NOW ACTING DIRECTOR FOR CIVIL AVIATION AS WELL AS AVIATION ADVISER TO GOM. DAVEY SHARES BELIEF EXPRESSED DEPTTEL PARA 2 THAT HONOLULU MEETING WILL REACH DECISION ON GOM'S FIR PROPOSAL. DAVEY REGARDS QUESTION AS A TECHNICAL ISSUE OF APPLYING ICAO AGREEMENT IN A SITUATION WHERE GOM EXERCISING ITS RIGHTS UNDER ARTICLE 1 OF CONVENTION. WHILE CONTROL OF FIR FROM SINGAPORE APPROPRIATE IN LIMITED OFFICIAL USE

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PAST, WHEN GOM DID NOT CONTEST, GOM'S CLAIM NOW,

DAVEY FEELS, SHOULD RECEIVE ROUTINE APPROVAL AT HONOLULU MEETING.

2. ACCORDING TO DAVEY, HE HAD DISCUSSED THE FIR QUESTION WITH THE GOS ON TWO EARLIER OCCASIONS WHEN HE WAS ICAO DIRECTOR IN BANGKOK. AT THAT TIME THE GOS HAD INDICATED IT WOULD NOT RPT NOT OBJECT TO GOM DESIRE TO ASSUME CONTROL. DAVEY HAD ASKED FOR BANGKOK MEETING ON ASSUMPTION THAT GOS ACCEPTED GOM'S CONTROL PROPOSAL WITH INTENTION OF DISCUSSING COORDINATION PROCEDURES. HE WAS NOT PREPARED FOR SINGAPORE STRONG OPPOSITION AND KEENLY DISAPPOINTED THAT NO PROGRESS COULD BE MADE ON COORDINATION.

3. DAVEY NOW FEARS THAT GOS WILL RAISE POLITICAL ISSUES AT HONOLULU MEETING WHICH WOULD BE IRRELEVANT AND TIME CONSUMING AND DIVERT MEETING FROM IMPORTANT ISSUES THEY FACE ON CHINA AND SIBERIAN AIRSPACE. HE HAS DISSUADED GOM FROM MAKING A HIGH LEVEL APPROACH TO GOS IN THE BELIEF THAT THIS IS IRRELEVANT AND COULD ONLY ENTRENCH POSITIONS DEEPER. HE IS HOPEFUL NEVERTHELESS THAT BEFORE HONOLULU OR IN EARLY STAGES GOS CAN BE PERSUADED THAT FIR ISSUE INVOLVES ONLY TECHDVCL APPLICATION OF AIR CONVENTION WHICH IT IS PARTY TO.

4. A SECONDARY CONCERN FOR DAVEY IS POSSIBILITY THAT GOS WILL MAKE COUNTER PROPOSAL FOR SEPARATE FIRS INTO SOUTH CHINA SEA AND INDIAN OCEAN. THIS, HE FEELS, WOULD HAVE NO RPT NO TECHNICAL JUSTIFICATION AND WOULD NEEDLESSLY COMPLICATE CONTROL OF AIR TRAFFIC.

5. DAVEY CONFIDENT OF MALAYSIA'S CAPABILITY OF IMPLEMENTING CONTROL OF FIR. HE PLANS A PHASING IN ARRANGEMENT BETWEEN MALAYSIA AND SINGAPORE, WITH GOM ASSUMING CONTROL OVER INDIVIDUAL ROUTES AS IT DEVELOPS CAPABILITY. DAVEY SAYS THAT HE HAS FIRMLY REJECTED WITH APPROVAL OF HIS SUPERIORS NOTION OF SETTING SPECIFIC DATES FOR GOM ASSUMING OPERATIONAL CONTROL OVER FIR.

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YM COMMENT. EMBASSY BELIEVES POSITION PROPOSED DEPTTEL PARA 1 IS PROPER STANCE FOR US AT HONOLULU MEETING. MAHADZIR'S VIEW IN KL REF 2 PARA 1 REFLECTS PREOCCUPATION WITH SINGAPORE'S OBSTINATE OPPOSITION TO GOM PROPOSAL AND HIS CONCLUSION THAT OTHER GOVT'S WILL NOT TAKE SIDES ON A BILATERAL ISSUE. APPROACH SUGGESTED BY DAVEY THAT GOM PROPOSAL INVOLVES

ONLY A CHANGE IN DELEGATION OF RESPONSIBILITY IN  
ACCORDANCE WITH ACCEPTED PRINCIPLES, WHICH APPEARS  
COINCIDE WITH FAA'S REASONING REFTEL A, OFFERS A  
WAY TO AVOID AN IMPASSE. EMBASSY BELIEVES THAT US  
DELEGATION TO HONOLULU SHOULD TAKE THIS APPROACH,  
AND IN THE ABSENCE OF VALID TECHNICAL OBJECTIONS  
AGAINST THE GOM PROPOSAL, WE RECOMMEND US SUPPORT  
OF THE PROPOSAL AT THE ICAO MEETING. DECON 1-31-74.  
CHESLAW

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